



50cc JC20 PCT/PTO 05 MAR 2002 #4

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group  
Art Unit: Unknown  
  
Attorney  
Docket No.: HER0050  
  
Applicant: Edmond D. Roussel et al.  
  
Invention: USE OF PROPIONIC BACTERIA FOR  
PRODUCING PROPIONIC ACID  
AND/OR PROPIONATES IN THE  
COLON  
  
Serial No: 10/031,477  
  
Filed: January 18, 2002  
  
Examiner: Unknown

Certificate Under 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231

on February 19, 2002

Anthony Niewyk

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

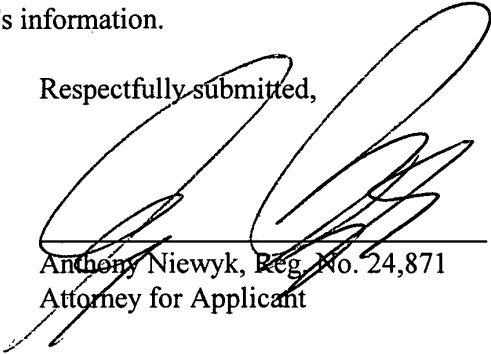
Sir:

Applicants wish to bring to the attention of the Examiner the documents identified on the attached form PTO-1449. Applicants respectfully request that these documents be made of record in the present application.

This Information Disclosure Statement is being filed before three months of the U.S. filing and before the mailing date of the first Office Action on the merits. No certification or fee is required.

Each English language reference was cited in a corresponding foreign application search report or office action and its relevance discussed therein. A copy of the foreign search report or office action is attached for the Examiner's information.

Respectfully submitted,



Anthony Niewyk, Reg. No. 24,871  
Attorney for Applicant

AN/mln/220674

BAKER & DANIELS  
Suite 800  
111 East Wayne Street  
Fort Wayne, IN 46802  
Telephone: 219-424-8000  
Facsimile: 219-460-1700

<b>INFORMATION DISCLOSURE CITATION</b> <i>(Use several sheets if necessary)</i>		Docket Number (Optional) <b>MER0050</b>		Application Number <b>10/031,477</b>	
		Applicant(s) <b>Edmond d. Roussel et al.</b>			
		Filing Date <b>January 18, 2002</b>		Group Art Unit <b>Unknown</b>	

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
		FR 2 741 509 A	5/30/97	France w/English Abstract				
		WO 98/27991 A	7/2/98	PCT				

OTHER DOCUMENTS		<i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>
		XP 000590802 - Tsutomu Kaneko et al. <u>Growth Stimulator for Bifidobacteria Produced by Propionibacterium freudenreichii and Several Intestinal Bacteria</u> , Journal of Dairy Science Vol. 77, No 2, 1994, pp 393-404
		XP 002139247 - <u>Propionibacteria used as probiotics - a review</u> , Dep Food Technol./Dairy Sci., Univ. Helsinki, 1995
		XP002139248 - <u>The effect of sucrose or starch-based diet on short-chain fatty acids and faecal microflora in rats</u> , A. Cresci, Journal of Applied Microbiology, 1999

EXAMINER	DATE CONSIDERED
----------	-----------------

**EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.